

Docket No. FE 6143

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 09 2009In re Application of:  
Dominic BERTA, et al.

Serial No.: 10/577,270

Group Art Unit: 1796

Filed: April 26, 2006

Examiner: J. S. LENIHAN

Title: **POLYPROPYLENE COMPOSITION**RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF UNDER 37 CFR 41.37Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to the Notification of Non-Compliant Appeal Brief (herein referred to as, "the Notice") mailed on October 7, 2009. The one-month period to respond is set to expire on November 9, 2009. As such, this response is timely filed. In particular, the Notice states that: (i) the brief does not contain a statement of the status of all the claims; and (ii) the brief does not contain an explanation of the subject matter of each independent claim, including the page and line number in the specification where the subject matter can be found.

With respect to the first issue, Applicant is submitting a brief herein that complies with 37 CFR 41.37(c)(1)(iii). As for the second issue, Applicant believes the brief filed on August 31, 2009 does comply with 37 CFR 41.37(c)(1)(v). In fact, on page 6, line 25

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- page 7, line 2, which is now page 7, lines 1-2 in the instant brief, Applicant's brief states, "See page 1, line 26 - page 2, line 22, and page 6, line 14 - page 8, line 2 in Applicant's specification." Accordingly, for the reasons outlined above, Applicant respectfully believes the brief submitted herein fully complies with 37 CFR 41.37.

Additionally, Applicant is resubmitting the entire brief due to the change in pagination. In view of the forgoing, Applicant respectfully believes the current rejections should be withdrawn, and the instant application should be allowed to proceed to grant.

Respectfully submitted,

Date: November 9, 2009  
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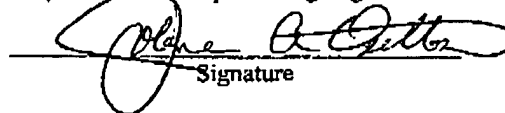
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300) on November 9, 2009.

JOLENE A. OUTTEN

Type or printed name of person signing this certificate

  
Signature